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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,822	12/14/2000	Pablo A. Vicharelli	99-890	8673

32127 7590 06/26/2006

VERIZON
PATENT MANAGEMENT GROUP
600 HIDDEN RIDGE DRIVE N. COURTHOUSE ROAD
SUITE 500
ARLINGTON, VA 75038-2909

EXAMINER

GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/736,822

Applicant(s)

VICHARELLI ET AL.

Examiner

Jean A. Gelin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 is/are rejected.
- 7) ☒ Claim(s) 10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This is in response to the Applicant's election of the restriction requirement filed on June 18, 2006, in which claims 1-12 have been elected, and claim 1 have been canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Markus (US 5,561,841).

Regarding claim 1, Markus teaches a system for performing wireless network planning using vector data (col. 2, lines 1-5), the system comprising: pixel data, vector data, and a coordinate reference for processing vector data comprising: a bus (i.e., connection to connect two communication devices within the network of Markus to allow communication); a pixel data plane containing a pixel data point (col. 5, lines 44-60); a vector data plane containing a vector data point (col. 5, lines 44-60); a storage medium coupled to the bus for storing the pixel data plane, the coordinate data plane, and the vector data plane (col. 3, lines 35-40, 58-59, col. 9, lines 32-55); a digital processor (for processing program) communicating with the storage medium through the bus for executing machine readable instructions for processing the pixel data plane, the vector

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data plane and the coordinate data plane to determine propagation loss associated with a transmitter to receiver layout within the coordinate data plane (col. 5, line 13 to col. 6, line 63); an input for transferring data to the storage medium and the digital processor through the bus (i.e., keyboard and mouse to input data, col. 5, lines 27-37); and an output for outputting the result of the processing of the pixel data plane, vector data plane, and coordinate data plane (i.e., displaying the obtained result, col. 5, lines 20-60).

Regarding claim 2, Markus teaches a method for simultaneously handling data planes for processing vector features in a wireless network planning system comprising: accepting a vector data plane and a raster data plane (col. 5, lines 44-39); utilizing a coordinate system stored as a coordinate system data plane (col. 6, lines 10-21); processing the vector data plane and the raster data plane using the coordinate system data plane to compute a distance to the vector feature that is within the boundaries of a pixel containing the vector feature (col. 5, lines 30-60); and transferring the result to an output (i.e., displaying the obtained result, col. 5, lines 20-60).

Regarding claim 3, Markus teaches wherein the raster data plane includes at least one raster variable (col. 5, lines 44-60).

Regarding claim 4, Markus teaches wherein the vector data plane includes at least one vector variable (col. 5, lines 20-60).

Regarding claim 5, Markus teaches wherein the coordinate system data plane is comprised of a geographical coordinate system (col. 3, lines 1-12).

Regarding claim 6, Markus teaches wherein the result is comprised of at least one data plane (col. 5, lines 44-60).

Regarding claim 7, Markus teaches wherein the vector data plane and the raster data plane is accepted over a network (col. 40, lines 44-60).

Regarding claim 8, Markus teaches wherein the output means is a network (col. 5, lines 13-43).

Regarding claim 9, Markus teaches wherein the processing includes calculating a propagation loss for a wireless communications signal (i.e., calculating interference, col. 8, lines 1-53).

Regarding claim 11, Markus teaches wherein the processing includes redistributing traffic within a sector onto vectors located within said sector (col. 4, lines 55-67, col. 6, lines 8-63).

Allowable Subject Matter

4. Claims 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sipila	US 6,389,294	05/14/2002
Heiska et al.	US 6,021,316	02/01/2000

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Torkki et al.	US 6,636,742	10/21/2003
Magnus et al.	US 6,466,797	10/15/2002
Soliman	US 5,799,005	08/25/1998
Kalev	US 6,308,071	10/23/2001

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JGelin
June 20, 2006

